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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, for the use  
and benefit of WELLS CARGO, INC.,

Plaintiff,

v.

ALPHA ENERGY AND ELECTRIC, INC., a  
Missouri corporation, and AMERICAN  
CONTRACTORS INDEMNITY COMPANY, a  
California corporation,

Defendants.

ALPHA ENERGY AND ELECTRIC, INC., a  
Missouri Corporation,

Third-Party Plaintiff,

Civil Action No. 2:18-cv-01182-JCM-EJY

**STIPULATION AND ORDER RE:  
TRIAL DEADLINES**

v.

NORTHCON, INC., an Idaho Corporation;  
SOUTHWESTERN CONSTRUCTION, INC., a  
Utah corporation; DOES 1 through 10; and  
ROE corporations 1 through 10,

Third-Party Defendants.

AND ALL RELATED CASES.

### **STIPULATION**

Alpha Energy and Electric, Inc. (“Alpha”), Northcon, Inc. (“Northcon”), American  
Contractors Indemnity Company (“ACIC”), and Southwestern Construction, Inc.  
 (“Southwestern Construction”) (collectively “Parties”), by and through their respective counsel,  
 hereby stipulate, agree and request as follows:

1. Southwestern Construction has settled its claims with Northcon. As a result of  
 this settlement, Northcon will prosecute the affirmative claims of Southwestern Construction  
 against Alpha and ACIC at trial as the assignee on those claims.

2. Due to the Court’s Order ECF No. 231, the Parties agree that counsel for  
 Southwestern Construction is no longer required for this matter to move forward on all  
 remaining claims and defenses and that Southwestern Construction’s counsel of record be  
 excused from further participation.

3. As a result, Northcon is the only party with affirmative claims and will act as  
 Plaintiff, as it carries the burden of proof. Northcon will begin its exhibit numbers at one;  
 Alpha will begin its exhibit numbers at 500; and ACIC will begin its exhibit numbers at 700.

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4. The parties agree that all deadlines outlined in the calendar call Order (ECF No. 222) will be due October 26, 2022 and hereby agree to attend the calendar call on October 26, 2022, if the Court would be so inclined to vacate the October 14, 2022 status conference.

**IT IS SO STIPULATED.**

Dated this 13<sup>th</sup> day of October 2022.

**KRIGEL & KRIGEL**

/s/ Stephen J. Moore

Stephen J. Moore, Pro Hac Vice  
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*Counsel for Alpha Energy and Electric, Inc.*

Dated this 13<sup>th</sup> day of October 2022.

**STRONG & HANNI, P.C.**

/s/ Michael D. Stanger

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*Counsel for Southwestern Construction, Inc.*

Dated this 13<sup>th</sup> day of October 2022.

**PISKEL YAHNE KOVARIK, PLLC**


/s/ Nicholas D. Kovarik

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Dated this 13<sup>th</sup> day of October 2022.

**THE FAUX LAW GROUP**

/s/

  
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**ORDER**

**IT IS SO ORDERED:**

  
**UNITED STATES DISTRICT COURT JUDGE**

**DATE:** October 13, 2022